

REMARKS

Reconsideration of the application is respectfully requested based on the following remarks.

In the Office Action, the Examiner rejected claims 1, 5-8, 10-12, 14, 15, 28, 30-32, 34-36, 38 and 39. Claims 1, 14, 28, 31, 32 and 38 have been amended, herein, without intending to abandon or publicly dedicate any patentable subject matter, to present the subject matter regarded as a claimed embodiment of the invention, in condition for allowance. Claims 10-13, 15, 34-37 and 39 have been canceled, herein, without prejudice or disclaimer for the sake of expediency. Applicant intends to properly prosecute them in a continuing application. As such, claims 1, 5-8, 14, 28, 30-32 and 38 are currently pending.

ALLOWABLE SUBJECT MATTER

The Examiner's indication of allowable subject matter in the application is gratefully acknowledged. The Examiner stated, "Claims 13 and 37 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims."

Applicant has herein amended independent claim 1 to include all the limitations of claims 10-12 and allowable subject matter of claim 13. Applicant has also herein amended independent claim 28 to include all the limitations of claims 34-36 and allowable subject matter of claim 37. Thus, it is respectfully submitted that claim 1 and claim 28 are patentable over the cited art for reasons stated by the Examiner. As such, Applicant believes that independent claim 1, dependent claims 5-8 and 14, independent claim 28 and dependent claims 30-32 and 38 are patentable over the cited art and in condition for allowance. Applicant respectfully requests that the Examiner allow pending claims 1, 5-8, 14, 28, 30-32 and 38.

REJECTION OF CLAIMS 1, 5-8, 10-12, 14, 15, 28, 30-32, 34-36, 38 and 39 UNDER 35 USC §102(b)

In the Office Action, the Examiner rejected claims 1, 5-8, 10-12, 14, 15, 28, 30-32, 34-36, 38 and 39 under 35 U.S.C. 102(b) being anticipated by U.S. Pat. No. 1,604,958 (Bayles). Applicant has herein canceled claims 10-13, 15, 34-37 and 39 without prejudice or disclaimer. Claim 1 has been amended with the limitations of claims 10-12 and the allowable subject matter of claim 13. Independent claim 28 has been amended, herein, to include the limitations of claims 34-36 allowable subject matter of claim 37. Applicant respectfully requests the Examiner withdraw the 35 U.S.C. 102(b) rejections of claims 1, 5-8, 14, 28, 30-32 and 38 as these claims are considered to be in condition for allowance.

In view of the foregoing discussion all objections and rejections are believed overcome, and Applicant respectfully requests that all rejections be withdrawn and pending claims 1, 5-8, 14, 28, 30-32 and 38 be allowed.

OTHER CITED REFERENCES

The Examiner also cited other references on PTO Form-892, but did not use these references to reject the claims. As implied by the fact that these references were not used to reject the claims, these additional references do not teach or suggest the features of Applicant's claimed invention. Thus, it is submitted that all claims are patentably distinct from these additional references.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance and a Notice of Allowance for this application is respectfully requested from the Examiner. If there are any issues remaining which the Examiner believes could be resolved through either a Supplemental Response, an Examiner's Amendment, or otherwise if the Examiner believes that further discussion would expedite the allowance of this application, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Applicant hereby petition for an extension of time which may be required to maintain the pendency of this case, and for any required fee for such extension or any further fee required in connection with the filing of this Amendment, the Commissioner is hereby authorized to charge any required fees not included with this paper directly to the credit card indicated in the attached Credit Card Payment form PTO-2038. In any case, it is requested that the Commissioner notify Applicant of any payment due that is not otherwise paid with this letter.

Respectfully submitted,
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